

MEMO ENDORSE



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

BY ECF

April 8, 2022

Hon. Kenneth M. Karas
United States District Court, S.D.N.Y.
300 Quarropas Street
White Plains, NY 10601

Re: Williams v. Barometre, No. 20-cv-7644(KMK)

Dear Judge Karas:

This Office represents Defendants Superintendent of Otisville Correctional Facility Delta Barometre and the New York State Department of Corrections and Community Supervision in the above-captioned action filed by *pro se* Plaintiff Ozan Williams ("Plaintiff").

In a March 28, 2022 Opinion and Order, the Court granted Defendants' motion to dismiss the complaint in part and denied it in part. Specifically, Defendants' motion was granted, without prejudice, with respect to Plaintiff's constitutional claims, while it was denied with respect to Plaintiff's ADA and Rehabilitation Act claims. The Court provided that should Plaintiff choose to file an amended complaint on the constitutional claims, he must do so within 30 days of the Court's Opinion and order, which is April 27, 2022. Defendants' answer to the surviving ADA and Rehabilitation Act claims is due on April 11, 2022. I write to respectfully request that Defendants' time to answer the surviving claims, i.e., the claims for which the motion to dismiss was denied, be extended to May 27, 2022. The additional time will allow this Office to further investigate the allegations in order to answer the claims, as well to receive any Amended Complaint filed by Plaintiff, which might impact Defendants' answer to the surviving claims. In addition, the request is made to avoid duplicative effort, which will occur if an answer to the original Complaint is filed, only to be replaced by an answer to an Amended Complaint a short time later.

Plaintiff's consent to this request was not obtained due to the delay associated with communicating with an incarcerated individual by mail.

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Granted. Defense counsel is to mail a copy of this memo endorsement to Plaintiff and certify this was done in a filing by 4/15/22.

So Ordered.



4/10/22

Respectfully,

/s/ Maria B. Hartofilis

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